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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.   | CONFIRMATION NO. |
|-----------------|-------------|----------------------|-----------------------|------------------|
| 09/740,038      | 12/20/2000  | Ko Yoshida           | P 275508 58264-US-JSJ | 6199             |

7590 03/21/2002  
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|            |              |
|------------|--------------|
| EXAMINER   |              |
| LAM, THANH |              |
| ART UNIT   | PAPER NUMBER |
| 2834       |              |

DATE MAILED: 03/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/740,038

Applicant(s)  
Yoshida et al.

Examiner  
Thanh Lam

Art Unit  
2834



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on elected filed on 2/11/2002
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above, claim(s) 4-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 20) ☐ Other:

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## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Specification*

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

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the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asao et al. (USPN. 6,326,715) in view of Akihiro (JP 404364339A).

Asao et al. disclose a rotary electric machine comprising: a frame having an air opening (1b) through which air flows; a stator core (15) disposed to be supported in the frame, the stator core having a plurality of slots (36); a stator winding including a plurality of conductor segments each of which is formed into an approximate U-shape having a pair of leg parts (41a-b or 42 a-b fig. 3), the stator winding being inserted into the stator core through the slots to have both coil ends (36a-b) protruding from both ends of the stator core, respectively; a rotor (7) disposed opposite to the stator core to be rotatable; a cooling fan (5) for blowing air toward the both coil ends (36a-b) of the stator winding (36); and wherein: the conductor segments (41a and 42a) are inserted into the slots (15a) of the stator core in such a manner that, the leg parts of each conductor segment penetrate through the slots from one end of the stator core to the other end thereof, and are connected at top ends (40); and the conductor segments are arranged to have a predetermined clearance (a space formed between 41 and 42 of fig. 8) between adjacent two thereof at the both coil ends of the stator winding, into which air blown by the cooling fan flows.

Asao et al. do not disclose an elastic member disposed between the stator core and the frame to be inserted therebetween.

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Akihiro et al. disclose an elastic member (16) disposed between the stator core (13) and the frame (10) to be inserted therebetween for the purpose of damping.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify and utilize the stator core and the frame as taught by Asao et al. and insert the elastic member of Akihiro et al. in therebetween to improve damping and reduce vibration and noise of the alternator.

Regarding claim 2, it is noted that Akihiro et al. disclose (see fig. 1a and b) the elastic member (18) has an outer peripheral surface press-contacting an inner peripheral surface of the frame (10), and an inner peripheral surface press-contacting an entire outer peripheral surface of the stator core (13).

Regarding claim 3, it is noted that Akihiro et al. disclose the stator core is disposed around the rotor to have a cylindrical outer surface; and the elastic member is made of a rubber, and is formed into a cylindrical shape.

#### ***Election/Restriction***

5. Applicant's election with traverse of claims 1-3 in Paper No. 11 is acknowledged. The traversal is on the ground(s) that the species would encompass a search for the subject matter of the remaining species. This is not found persuasive because a number of species in one application is a separated status and the species require a number of searches. Furthermore, the

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claimed species are in excess a reasonable number of the species in the application that would cause a serious burden.

The requirement is still deemed proper and is therefore made FINAL.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (703) 308-7626. The fax phone number for this Group is (703) 305-3431.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0656.



Thanh Lam

Patent Examiner

March 18, 2002